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## REFORM IN CHINA<sup>1</sup>

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of the Chinese Republic*

One of the most noticeable phenomena in the world history of the last two or three hundred years is the subjugation of Asia by Europe. Asiatic civilization and institutions have in the shock of conflict with European civilization and European institutions either succumbed or have been made to suffer great modifications. In some instances political control has passed from Asiatic to European hands. In others, while Asiatic rulers have been able to maintain themselves in at least nominal control, their freedom of action has been curtailed by treaties forced from them by the fear of the loss of political independence.

Furthermore, in those few cases of contact between the European and the Asiatic in which the latter has not suffered a serious loss of independence, European commercial and industrial organization has exercised a remarkable influence over Asiatic life. The steamship and the railway, both European inventions, have bound together the East and West in bonds so strong that it is futile to think that they will ever be broken, and have at the same time given to most Eastern countries means

<sup>1</sup> A paper read at the eleventh annual meeting of the American Political Science Association.

of transportation which are surely and with continually increasingly rapidity transforming the conditions of Eastern life.

The industrial organization of the West, finally, is also proving its economic superiority to that of the East. Most commercial products in whose manufacture the East and the West compete can be made more cheaply in Europe than in Asia. With the improvement in the means of communication between Europe and Asia the manufactures of Europe are consequently slowly but surely driving many Eastern products out of Eastern markets, and like the steamship and the railway also are gradually changing the living conditions of Eastern people.

We may therefore say without danger of contradiction that Western civilization and Western institutions are at the present time showing themselves more efficient than Eastern civilization and Eastern institutions, and that in the conflict between the East and West, which has probably only just begun, the West shows every evidence of becoming the victor.

Of course it is true that from an idealistic rather than a materialistic point of view the West may not be superior to the East. It may also be that in the long course of centuries the vaunted superiority of the West to the East may not be so evident if it may be said to exist at all. But it is certainly true that the immediate future will mark the further, even if temporary, victory of Western ideals. The materialism of the West will in all probability prevail over Oriental idealism. We may not envisage the future with satisfaction. Our ethical sense may be outraged by what we foresee. But with men as they now are, we can hardly fail to conclude that in the years soon to come the influence of the European upon the life of the world will increase rather than diminish.

If this increase of European influence is then to be regarded as almost certain, what should be the policy of an Asiatic country which still retains its political independence but at whose doors the European is even now knocking with the vigor and insistence which have characterized the European attitude towards Asiatic peoples during the past two or more hundred years? What in other words should be the present policy of China?

The general answers to these questions may perhaps be found in the history of the country during the past century. Whether due to the influence of her officials or to the honest feelings of the people as a whole, China's attitude toward the introduction of Western ideas has been for the most part one of hostility. It can hardly be denied that this attitude of hostility has been not only futile but disastrous. Chinese resistance to Western influence has been ruthlessly overborne. We are not here concerned with the ethical character of European policy towards China during the past century. It may be just as unethical as many Europeans have claimed. It may be just as detestable as its Chinese opponents deem it to be. But it is none the less true that Chinese opposition to it has both failed to prevent its adoption, and has plunged China into a pit from which the country is endeavoring now with great difficulty to extricate itself.

We may therefore assume that Chinese hostility towards the introduction into the country of Western ideas is an attitude which must and will be abandoned. We may also consequently assume that Western ideas will exercise in China an increasing influence in the years immediately before us.

The policy of China should therefore be to accord a more hearty welcome to the European than has been accorded in the past. At the same time, China should be careful both to guard against the enthusiasm of the recent convert to new ideas, and to adopt only that part of Western culture which is suited to her peculiar conditions. She should also endeavor to avoid the mistakes of which Europeans have been guilty and, in the new life which will spring up in the country, attempt to remedy those defects of Western civilization the existence of which the most ardent admirer of the West will not deny.

In order to carry out such a policy it is not sufficient for China to study Western institutions and become acquainted with Western ideas. Such a study must of course be undertaken. But it is every bit as necessary for China to know herself. It is absolutely essential that the difference between European

and Chinese conditions be understood. Where these differences are controlling European institutions must be modified, if a lively hope is to be entertained that the introduction into China of those institutions will be followed by the largest measure of advantage.

It is of course impossible in the space at command to indicate all of even the most important differences in the conditions of China and Europe. It is doubtful if it is in the power of a single person to make such an indication. It may not, however, be improper in this place to record what have seemed to one observer a number of the most important points in which China and Europe are not alike.

In the first place there is a difference in the economic basis of Chinese and European life. China is agricultural, Europe is industrial. Most of the things which are used in China are produced from the soil and are capable of almost indefinite reproduction, by ordinary agricultural processes. This is true not merely of the things which are used for purposes of food. It is also almost as true of such other things as clothes and many of the materials which are used for the purposes of house construction and for the conduct of the other ordinary affairs of life. Europe and America, which from this point of view is little more than a copy of Europe, place much less reliance than does China on vegetable products and much more on mineral and animal products. The Chinese clothes himself for the most part in cotton. The European makes much greater use of wool and leather. The Chinese uses the bamboo and the kaoliang. The European is accustomed to regarding himself as living in an age of iron. The Chinese very generally uses for fuel the waste of his fields. The European digs coal from the bowels of the earth.

The processes through which the Chinese obtains the products he desires are thus mainly agricultural in character supplemented by a system of household industry carried on by manual labor. On the one hand a highly developed agriculture has been evolved. On the other hand we find an industrial system which is often merely incidental to agriculture and almost never calls for a high degree of social coöperation.

The processes through which the European secures the products he desires are, however, industrial rather than agricultural in character. A highly specialized industrial system has been developed which is based on the factory and the steam engine and which requires for its successful pursuit a high degree of social coöperation.

The agricultural character of China on the one hand and the industrial character of Europe on the other have probably more far reaching effects on the people than at first sight would be supposed. Thus we find in China a stable population whose immobility is increased by the absence of good means of communication. Thus again we find that the economic need in Europe for larger undertakings due to the industrial character of its population has been accompanied by, if it has not been the cause of, a higher degree of social coöperation than has hitherto developed in China. This social coöperation is seen not only in the commercial and industrial but as well in the political life of Europe. Without it the great commercial and industrial corporations which are so distinctive a feature of European life would have been impossible. Had this capacity for social coöperation not developed it is difficult to believe that the representative government which is the commonly accepted form of government in European countries would have been possible.

The lesser degree of social coöperation evident in China, which may well be due in no small measure to the agricultural character of its population, must be borne in mind when China makes the attempt to introduce Western ideas. A form of industrial organization which has its basis in the corporation may be successful in Europe but unsuccessful in China unless it is subjected to those modifications which are suited to Chinese conditions. Representative government, certainly in the form in which we find it in modern European states, may well be impossible of adoption in China until such time as greater capacity for social coöperation has developed.

Another point in which Chinese differs from European life is to be found in the position which has been accorded to the

family. In Europe and America the bonds of the family are neither so far reaching nor so controlling as is the case in China. The European family begins to disintegrate as the children attain manhood. The power of the father over the children ceases when the children have grown up, and a duty of supporting one's brothers and sisters even, is not recognized either by the law or by public opinion. Family ownership of property is practically unknown.

In China, however, it is the family rather than the individual that counts. It is often the family rather than the individual in which the ownership of property is vested. The head of the family, which may embrace the children of a number of fathers who are the descendants of a common ancestor, has either by law or as a result of public opinion powers which are denied to the father of a single family by European law.

The difference in the position which is accorded to the family in Europe and China has had a marked effect upon the social organization. The individualistic ideas of Europe would seem to have made possible the concentration of property in a few hands. The family control of property in China, which often results in what in European law is spoken of as the suspension of the power of alienation, would seem to have brought about a more equal distribution of property than is found in countries having a civilization of European origin. Well organized classes based on inequality in the distribution of property have not developed as is the case in Europe.

The existence of the Chinese family idea, based as it is on ancestor worship, has further had the effect of rendering the population rather stable and immobile with the result of congestion at particular points, and has at the same time made difficult the development of social groups wider in extent than the family. The character of the family would thus appear to have hindered the development of social coöperation, difficult as it otherwise is under the agricultural conditions which obtain in the country.

The history of China would seem to show also that China has never developed to such an extent as is to be noticed in

Europe the conception of political authority. It is true of course that from time immemorial all political power which has been exercised in China has been supposed in the past to be vested in the Son of Heaven. As a matter of fact, however, political authority has never in China extended so widely as it has at the present time in Europe. China has really been the home of *laissez faire*. Her system of *laissez faire* has been, it is true, one in which the unit has been the family rather than the single individual and has been somewhat modified by the theoretically absolute powers of the Son of Heaven. But it still remains true that the conception of political authority as interfering with the daily affairs of life has not existed. China has been governed by precepts of morality and by custom rather than by law and edict. Where laws and edicts have been issued to supplement the force of moral precept and customary usage it has usually been deemed expedient to convince those affected by them of the reasonableness of the action proposed to be taken. Arbitrary decrees commanding a substantial departure from existing practice have been as compared with European life almost unknown.

The century long existence of this attitude upon the part of the Chinese people has had marked effects upon their psychology. They are in the first place much more conservative than are European peoples. Although not particularly combative in character they are capable of offering a passive resistance to changes, of whose reasonableness they are not convinced, which makes those changes difficult of accomplishment. Not accustomed to yielding obedience to arbitrary authority, whether that authority be a monarch or a popular majority, they must as a whole be convinced of the desirableness of unaccustomed action before they will take it. The process of convincing them is often a long one since practically the opinion of the whole people must be changed before action can be secured.

In the second place this *laissez faire* theory and this absence of the conception of political authority have had for their effect a lack of discipline in the Chinese people as compared with Europeans. Brigandage and riotous outbreaks on the one hand



seem to be of frequent occurrence. On the other hand social coöperation among groups not subjected to the authority of one ancestral or family head is difficult. The only marked exception to this rule is to be found in the merchant and trade guilds of which there are so many in China and which have assumed so many functions in European countries regarded as incident to political authority.

In the third place, the absence of the rule of law combined with the irresistible compulsion of a universally accepted ethical system has brought about an almost complete absence in the minds of the Chinese people of the idea of individual rights. This has also been furthered by the existence of the family and guild system in which the individual is merged and to which he must submit. If the individual obeys the dictates of moral precept and conforms to the demands of the family and the guild he is, as compared with the European, almost completely free from political restraint. If, however, he attempts to depart from the ethical code, and particularly if he is guilty of a violation of filial duty, which is the mainspring of family life, he is an outcast who possesses no rights and against whom almost any man's hand may be lifted with impunity. He certainly receives no protection from the state.

Chinese conditions are, finally, to be distinguished from modern European conditions because of the fact that the materialistic philosophy of the European has been characterized by the adoption of what may be called the scientific method of the conduct of life. By the scientific method is meant the generalization from recorded observations and the application of the generalizations made to other classes of phenomena through the process of experiment rather than as the result of the process of abstract reasoning. While this scientific method has perhaps always been characteristic of European action it is only within very recent times that it has received its highest development. Its use may, however, be said to be the most important contribution of the European to human progress. It has been the cause of the great triumphs of European efficiency and it is largely because of it that the European possesses that superiority in

the management of the material things of human life which must be accorded to him. Its possession differentiates the European from other peoples, who, for the most part, have been content to search for truth through meditation and *a priori* reasoning.

In attempting to adopt Western learning and to establish in China European institutions, allowance must be made for these differences if satisfactory progress is to be made. It must be remembered that at present China is agricultural rather than industrial, has comparatively little capacity for social coöperation, is governed by ethics rather than by laws promulgated by a recognized political authority, has not been subjected to discipline, has little regard for individual rights and has not as yet in large measure applied the scientific theory to the conduct of life.

Her agricultural character, when taken together with her large population, makes it impossible for her to dispose of large financial means until her industrial and mineral resources have been much further developed.

Her small power of coöperation makes it impossible for her until her conditions have been greatly modified to adopt the forms of representative government which have been followed by success in European countries and makes it desirable that her present industrial organization be subjected to a comparatively slow process of modification.

The fact that she has been in the past governed largely by ethical precept and has only a very dim conception of political authority make it desirable that the sanctions of her ethical system be relaxed only in proportion as the idea of political authority develops.

Her lack of discipline and her disregard of individual rights make it probable that a form of government which has many of the earmarks of absolutism must continue until she develops greater submission to political authority, greater powers of social coöperation and greater regard for private rights. For unless a strong government is established political disintegration is liable to occur and many petty tyrants will probably develop,

in whose presence the development of the conception of individual private rights will be well nigh impossible.

It may not be expected that the conditions existing in China will in a short time be so changed as to permit Western institutions in an unmodified form to be established in the country. It may be indeed that China will always continue to preserve almost unchanged some of the conditions which now obtain. If those conditions are changed, the development of the country may be different from that of Europe, in which long years ago existed many of the conditions now to be found in China. But so far as her conditions do not gradually come to approximate those of Europe it is useless to expect that the institutions which will be developed will be those with which Europeans are familiar. The problem in China is a Chinese problem. Its solution must be made not as the result of the attempt to copy Europe but, although it may be influenced by European ideas, must be worked out carefully and slowly in the light of Chinese traditions and history and in such a manner as to conform to the peculiarities of Chinese life.

While general Chinese conditions may not thus be expected to change with great rapidity, there is no reason to suppose that China may not, if she is convinced of the desirability of applying the scientific method to the conduct of life, take immediate steps towards the realization of that purpose. For its realization can be secured through a change in the educational system in China as well as by sending young Chinese abroad to study. It is, however, well to remember that probably better work will be done for China by educating large numbers of young men in China amid the surroundings in which they will be called upon to live and under the conditions to which they will be subject, than by sending a few abroad at the most impressionable age. It is not wise to subject those who are expected to be the leaders in Chinese life to the danger of becoming denationalized, of losing their reverence and respect for all that is good in China because of their admiration, often not discriminating, for the new civilization to which they are introduced and under whose spell, due to its present power and efficiency, they are

likely to fall. The foreign educated student always labors at a disadvantage when he returns to his native country after a long absence abroad. The conditions which then confront him are different from those with which he is familiar. This disadvantage becomes a serious handicap to the Chinese returned student. For the conditions to which he has become accustomed are totally different from those which he has to encounter.

The policy of China at the present time should then be:

1. To strengthen her governmental organization in order that she may protect herself against foreign aggression and cultivate among the Chinese people respect for political authority.

To this end a strong central government is necessary in order that all tendencies toward the disintegration of the country may be checked. To this end a strong executive is also necessary in order that a stable policy may be followed. What is known in political science as presidential government is more suited to China's needs than any form as yet developed of cabinet government. China's governmental institutions should be modeled on the German or the American system rather than upon the British or the French.

2. To develop the natural resources of the country, so that the life of the people may not be simply agricultural but as well industrial.

To this end it will in all probability be necessary for some time to come to rely on foreign capital, and in a large degree on foreign management as well, even if this resort to foreign assistance will involve an extension of the present privileges of extraterritoriality into sections of the country into which the foreigner is not now permitted to go. As Chinese capital accumulates, and as Chinese judicial institutions improve, it may be possible to place less reliance on the foreigner and to subject all persons in the country to the Chinese courts, but until such time it would seem to be useless to expect any great development of the country's resources except under considerable foreign control endowed with extraterritorial privileges.

3. To cultivate by every means possible a greater spirit of social coöperation in both the political and industrial organization of the country.

To this end it is necessary to establish in the central government a legislature and in the provincial and other local governments provincial and local councils which shall represent the most important classes, such as the merchants, the literary class and the larger property owners. What powers can safely be entrusted at present to such bodies it is somewhat difficult to say. It would seem, however, that for the present it would be wiser to lay greater emphasis on functions of advice than on powers of control. For China is so unaccustomed to popular government and has so long been subject to personal rule that it would be useless to expect that the country could at one bound successfully advance to the stage of representative and popular government which is characteristic of European and American countries. A serious attempt should be made, however, at once to offer to the classes of the people which are conscious of common interests and have intelligent aspirations the opportunity to participate more widely and influentially in the government of the country than they have up to the present time enjoyed. Otherwise the country will continue to be under the blight of absolutism and, so long as it does not have the security which comes from the determination of the question of succession by inheritance in a particular family, will possess probably the worst form of government which has yet been devised—namely a military dictatorship.

As the people become, through their participation in the work of government, accustomed to the management of public affairs, the functions of the various representative bodies may lose their advisory and take on more and more a controlling character. If for the time being it is believed to be desirable that the members of these representative bodies be appointed rather than elected or if elected be elected by a small body of voters, as time goes on probably less resort may safely be had to appointment as a method of selection and the number of voters may be increased.

The solution of the problem how to cultivate a greater spirit of industrial coöperation is extremely difficult. This problem has been solved in Western countries through the device of the

company or corporation. The success of the Western corporate idea in industrial and commercial life has been in large measure dependent upon three factors. In the first place there has been an independent and reasonably upright judicial system to which the shareholders of companies might have recourse in case their rights under the law were violated; in the second place, largely because of the existence of such courts, a spirit of trusteeship, of fiduciary obligation, has grown up among the people which has prevented the misuse of their position by the officers of companies for selfish, including family, interests. There has gradually developed in the ethical consciousness of Western peoples the belief that the first duty owed by a company officer is to his company and its shareholders. There is still of course large room for the further development of this belief. But it has already sufficiently developed to permit of the successful carrying on of commercial and industrial operations under the corporate form of organization. In the third place, the governments have in most instances scrupulously refrained from either seizing successful companies or from interfering with their management except in so far as such action was necessary in the public interest. Until such time as the conditions which have been outlined are present in China, the prospects of successful corporate enterprise in China under Chinese management may not truthfully be said to be bright. Until such time as an approximation to such conditions is reached it would seem that China must, as has been indicated, rely very largely on foreign management and submit to foreign control. If, however, China will make a serious, determined and persistent attempt to realize these conditions there is no reason to believe that she may not cultivate in time that spirit of social coöperation upon which successful corporate management of large commercial and industrial enterprises is based.

4. To lay greater emphasis as time goes by on private rights in order that the individual may be better protected than at present in the enjoyment of his life, liberty and property.

To this end it is necessary that the rule of law be substituted for personal rule. Laws must define in advance more compre-

hensively and clearly than is at present the case what are the rights and duties of individuals. Courts, to which the individual may with confidence resort in case his legal rights are violated, must be established. If we may judge by European experience such courts can be established only upon the condition that the judges are independent of the arbitrary control and interference of the executive. It will undoubtedly be necessary to provide some method for the punishment of corrupt and incompetent judges or for their removal from the bench, but any method which may be provided should carefully protect all judges from the arbitrary action of the executive and should secure them a public trial.

Finally, the adoption of the rule of law and the protection of private rights make it necessary that in ordinary times a large freedom of speech and of expression be accorded. The doings of the government should be open to criticism by private individuals and by the public press, provided such criticism does not take the form of seditious utterance. It is only where the press has a reasonable freedom that private rights are protected and that progress in popular government is possible.

5. To remodel its educational institutions so that coming generations may be able to apply the scientific method to the conduct of life.

To this end it will be necessary that greater emphasis be laid in the future than has been the case in the past on scientific and technical studies. Chinese learning in the past has been almost exclusively literary in character. The study of literature encourages the development of imagination and artistic taste. It does not, however, tend to develop habits of precision and accurate thinking. It does not concern itself in any high degree with the practical facts of life. It is idealistic rather than materialistic. Where literature is studied to the exclusion of other subjects there is a tendency to over-emphasize the memory at the expense of the reasoning faculties; to encourage the student to dwell upon the accomplishments of the past rather than to attempt the solution of the problems of the present or to forecast the progress of the future.

The reorganization of the government may form a large part of the future policy of the country. For improvement of the political institutions will make much easier the reconstruction of the country. But it can not be expected that political reform will accomplish all that is needed. It is, furthermore, to be remembered that in the reorganization of the government which will undoubtedly be undertaken, more stress will have to be laid in the immediate future upon power than upon liberty, upon the cultivation of respect for political authority than upon regard for private rights, upon government efficiency than upon popular representation. As power is consolidated, as respect for political authority develops and as government efficiency is secured, liberty will spring up, private rights will be established and popular representation will be evolved. The process will not in all probability be a quick one. For political change to be permanent is necessarily slow. In the meantime the Chinese people will have to be patient, satisfied if they are able to solve one by one the problems which the inevitable contact of the East with the West has presented to them. They will undoubtedly be assisted in their efforts by the change in social conditions which the adoption of Western institutions will bring about. The railway and the steamship will bind the country closer together, thus diminishing the danger of disintegration. The gradual change from an almost purely agricultural economy to one which is more industrial in character will tend to develop the capacity for social coöperation without which representative government in a Western sense is all but impossible. At the same time it will add to the financial resources of the nation. The increase of the financial resources of the country will strengthen the government and aid in the development of the conception of political authority, whose exercise will make possible quicker progress than may be expected under present conditions. The reform of the system of education will cause the coming generation to assume a more practical attitude towards the facts of life which can hardly fail to have a great influence on the psychology of the people.

But such changes as have been outlined take time for their accom-



plishment, and until they are accomplished, until in other words the social and economic conditions are quite different from what they are at present and bear a closer resemblance to the conditions of the West, it is useless to expect that a political organization based upon the conditions of the West can be advantageously adopted in China.

#### REMARKS ON PRESIDENT GOODNOW'S PAPER

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I have listened with unusual interest to the learned paper on "Reform in China" just read by President Goodnow. It seems to me, however, that the Occidental people find no end of difficulty in understanding and interpreting our Oriental laws, customs, and institutions. We are told, for instance, that the Chinese like other Asians, who are mainly agricultural peoples, are unfit for representative government. I doubt if this statement can stand the test of adequate proof. Take, for example, the people of China, whose recorded history runs back to 2800 B. C. These Celestials, these agriculturalists, had from time immemorial enjoyed local self-government, had been accustomed to "take communal action:" they would close up their business and resist the imposition of an unjust tax. It is to be remembered that the powers of the mother of parliaments developed in this fashion. "The financial functions of parliamentary assemblies are always the centre of their action."

In India, another agricultural country, we had the village community which contained the true germs of representative government. These village communities have frequently been described by such authorities as Sir Charles Metcalf, Sir Henry Maine as "little republics."

Further, we are told by Western critics that the Chinese, along with the other people of the Orient, are slow to move, that they are static, preferring to submit to the iron rule of an autocratic king. On the other hand those who have even a slight acquaintance with Chinese history know that the Chinese